IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8716 OF 2004

Uttam Vithoba Jamadade ..Petitioner.

Vs.

Sou. Premlata Uttam Jamadade ..Respondent.

...

Mr.Milind Deshmukh for the Petitioner.

CORAM : DR.D.Y.CHANDRACHUD, J.

21st October, 2005.

P.C. :

Interim maintenance has been granted under the provisions of the Hindu Adoptions and Maintenance Act, 1956. quantified at Rs.1,500/- per month. This is inclusive of an amount of Rs.800/- which has been granted under Section 125 of the Code of Criminal Procedure, 1973. The Petitioner is a primary school teacher and his gross salary in January 2002 was Rs.8,008/-. The

deductions from the salary were on account of a loan taken from the District society and the Taluka society. Besides this, the Petitioner is a holder of agricultural land admeasuring 3 Hectares 38 Ares, of which 2 Hectares is under sugar-cane cultivation. The Learned Trial Judge has formed a considered view that the yearly income therefrom would be approximately Rs.1 lac. The order of the Learned Trial Judge awarding maintenance in the total amount of Rs.1,500/- per month inclusive of an amount of Rs.800/- that has been allowed under Section 125 of the Code of Criminal Procedure, 1973, is thus just and proper and does not warrant interference under Article 227. The Petition is dismissed.